

Troutman Pepper Hamilton Sanders LLP  
222 Central Park Avenue, Suite 2000  
Virginia Beach, VA 23462  
troutman.com



## MEMO ENDORSED

**Ethan G. Ostroff**  
ethan.ostroff@troutman.com

**Erin E. Edwards**  
erin.edwards@troutman.com

The request is granted. The Court adopts the parties' proposed schedule for discovery and briefing, as set forth below in paragraph 8. SO ORDERED.

July 31, 2024

### VIA ECF

Hon. Edgardo Ramos  
United States District Court for the Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007  
Courtroom 619

A handwritten signature in blue ink, appearing to read "Edgardo Ramos".

Edgardo Ramos, U.S.D.J.

Dated: August 1, 2024

New York, New York

**Re: Ana Segui v. Solar Mosaic LLC, et al., Case No. 1:24-cv-00968-ER**  
**Joint Letter Motion for Extension of Time to Complete Motion to Compel**  
**Arbitration Discovery and Briefing**

Your Honor:

Defendant Solar Mosaic LLC ("Solar Mosaic"), through counsel Troutman Pepper Hamilton Sanders LLP, Defendant MPower Energy, LLC ("MPower"), through counsel David G. Combs, and Plaintiff Ana Segui, through counsel Flitter Milz, P.C. and Bromberg Law Office, P.C., jointly request an extension of time to complete discovery related to Solar Mosaic and MPower's motions to compel arbitration and to submit briefing on the motions to compel. They provide the following information in support of their request:

1. Solar Mosaic and MPower submitted letters to the Court requesting a pre-motion conference and/or the Court's permission to file, in lieu of answers, motions to compel arbitration of Plaintiff Ana Segui's claims in this case. (ECF No. 28, 30.)

2. The Court held a pre-motion conference pursuant to Solar Mosaic and MPower's request on June 12, 2024. (ECF No. 31.)

3. At the pre-motion conference, Plaintiff, through counsel, requested the opportunity to conduct discovery on the motions to compel.

4. After hearing from the parties at the pre-motion conference, the Court granted Solar Mosaic and MPower's requests for leave to file motions to compel arbitration and allowed limited discovery as to whether Plaintiff formed contracts with Solar Mosaic and MPower. The Court set the following deadlines in its June 12, 2024 Minute Entry:

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- a. Discovery, limited to the contract formation issue, shall be completed by August 14, 2024;
- b. Moving papers due September 4, 2024;
- c. Opposition due September 25, 2024; and
- d. Reply due October 2, 2024.

5. Following the June 12 conference, the parties issued and responded to written discovery. Solar Mosaic's counsel also requested Plaintiff's availability for her deposition. Plaintiff's counsel subsequently sought to depose a Solar Mosaic corporate representative, MPower corporate representative, and MPower employee Klevis Vulaj, the salesman in the subject transaction.

6. The parties respectfully request additional time to complete the four depositions. Although the parties have worked to find mutually agreeable dates before the August 14, 2024 discovery deadline, they have not been able to find dates that work for the witnesses and counsel. The parties are not able to prepare for and complete four depositions within the remaining time due to their current schedules and caseloads.

7. The parties request an additional forty-five days to complete the depositions based on Plaintiff's counsel's upcoming trial schedule, which includes a week-long jury trial in the U.S. District Court for the District of Connecticut beginning August 19th. The parties have conferred on available dates to conduct the depositions in September.

8. The parties propose the following amended schedule for the discovery and briefing on Solar Mosaic and MPower's motions to compel arbitration:

- a. Discovery, limited to the contract formation issue, shall be completed by September 30, 2024;
- b. Moving papers due October 21, 2024;
- c. Opposition due November 11, 2024; and
- d. Reply due November 18, 2024.<sup>1</sup>

9. This is the parties' first request for an extension of time to complete the discovery and briefing on Solar Mosaic and MPower's motions to compel arbitration.

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<sup>1</sup> 45 days from the original deadlines that fell on a Saturday were adjusted to fall on the following Monday.

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10. No other dates have been scheduled in this matter.

Thank you for considering this request.

Respectfully submitted,

TROUTMAN PEPPER  
HAMILTON SANDERS LLP

By: Erin E. Edwards  
Erin E. Edwards

MPOWER ENERGY, LLC

By: David G. Combs  
David G. Combs

FLITTER MILZ, P.C.

By: Andrew M. Milz  
Andrew M. Milz

cc: All Counsel of Record (via ECF)